

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JOSE MARIA DeCASTRO,  
a/k/a CHILLE DeCASTRO,  
a/k/a DELETE LAWZ,

*Plaintiff,*

v.

JOSHUA ABRAMS a/k/a  
ACCOUNTABILITY FOR ALL, KATE  
PETER a/k/a MASSHOLE  
TROLL MAFIA,

*Defendants.*

CASE NO. 1:22-cv-11421-ADB

**KATE PETER'S ANSWER AND COUNTERCLAIMS**

Defendant Kate Peter ("Ms. Peter") hereby responds to the Complaint of Plaintiff Jose Maria DeCastro, a/k/a Chille DeCastro, a/k/a Delete Lawz ("Mr. DeCastro") and asserts Counterclaims as follows:

**I. JURISDICTION AND VENUE**

1. The allegations in this Paragraph contain legal conclusions to which no response is required.
2. The allegations in this Paragraph contain legal conclusions to which no response is required.

**II. PARTIES**

3. Ms. Peter is without information sufficient to respond to this Paragraph.
4. Ms. Peter is without information sufficient to respond to the allegations in the first sentence of this Paragraph. Ms. Peter admits the second sentence of this Paragraph, but states, in

answering this and many other Paragraphs in the Complaint, that her surname is “Peter,” not “Peters.”

### **III. FACTS**

5. Admitted.

6. Admitted.<sup>1</sup>

7. Ms. Peter admits that her YouTube channel is presently called “Masshole Troll Mafia.”<sup>2</sup>

8. Ms. Peter is without information sufficient to respond to the allegations in this Paragraph concerning Plaintiff and Defendant Joshua Abrams (“Mr. Abrams”). Ms. Peter denies the allegations in this Paragraph that concern her.

9. Ms. Peter is without information sufficient to respond to the allegations in this Paragraph.

#### **May 22, 2022 Video**

10. Ms. Peter admits the first four sentences of this Paragraph. Ms. Peter admits that the May 22, 2022 video has over 11,000 views and 260 comments as of the undersigned date; Ms. Peter denies that the video generated over \$1,000 in revenue. The allegations in the last sentence of this Paragraph contain legal conclusions to which no response is required:

10.1. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.

10.2. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.

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<sup>1</sup> Ms. Peter is without information sufficient to respond to Footnote 1.

<sup>2</sup> The allegations in Footnote 2 contain legal conclusions to which no response is required. Ms. Peter otherwise denies the allegations in Footnote 2.

- 10.3 The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.

**June 10, 2022 Video**

11. Ms. Peter is without information sufficient to respond to the allegations in the first four sentences of this Paragraph. Ms. Peter is without information sufficient to respond to the allegations in the fifth sentence of this Paragraph, except she denies that Mr. Abrams' video generated over \$1,000 in revenue for her. The allegations in the last sentence of this Paragraph contain legal conclusions to which no response is required:

- 11.1. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.
- 11.2. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.
- 11.3. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.
- 11.4. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.
- 11.5. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.
- 11.6. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.
- 11.7. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.
- 11.8. The allegations in this Paragraph quote from a YouTube video, the

contents of which speak for themselves.

11.9. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.

11.10. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.

11.11. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.

12. Ms. Peter admits that she appeared in Mr. Abrams' June 10, 2022 video, but otherwise states that the allegations in this Paragraph contain legal conclusions to which no response is required:

12.1. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.

13. Ms. Peter is without information sufficient to respond to the allegations in this Paragraph.

14. Ms. Peter is without information sufficient to respond to the allegations in this Paragraph.

15. Ms. Peter is without information sufficient to respond to the allegations in this Paragraph.

16. Denied.

17. Denied.

18. Ms. Peter is without information sufficient to respond to the allegations in this Paragraph.

19. Ms. Peter is without information sufficient to respond to the allegations in this

Paragraph.

#### IV. CLAIMS

##### **Count One – Defamation – Joshua Abrams**

20. This Paragraph contains legal conclusions to which no response is required. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required:

- 20.1. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.
- 20.2. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.
- 20.3. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.
- 20.4. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.
- 20.5. The allegations in this Paragraph quote from a YouTube video, the

contents of which speak for themselves. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.

20.6. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.

20.7. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.

20.8. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.

20.9. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.

20.10. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.

20.11. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.

21. This Paragraph contains legal conclusions to which no response is required. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.

22. This Paragraph contains legal conclusions to which no response is required. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.

23. This Paragraph contains legal conclusions to which no response is required. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.

24. This Paragraph contains legal conclusions to which no response is required. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.

25. This Paragraph contains legal conclusions to which no response is required. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.

26. This Paragraph contains legal conclusions to which no response is required. Count One also does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required.

**Count Two – Defamation – Kate Peter**

27. This Paragraph contains legal conclusions to which no response is required:

27.1. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.

27.2. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.

27.3. The allegations in this Paragraph quote from a YouTube video, the contents of which speak for themselves.

28. Ms. Peter is without information sufficient to respond to this Paragraph.

29. This Paragraph contains legal conclusions to which no response is required.

30. This Paragraph contains legal conclusions to which no response is required.

31. This Paragraph contains legal conclusions to which no response is required. Ms. Peter is also without information sufficient to respond to this Paragraph.

32. This Paragraph contains legal conclusions to which no response is required.

33. This Paragraph contains legal conclusions to which no response is required. Ms. Peter is also without information sufficient to respond to this Paragraph.

**Counts Three (Joshua Abrams) and Four (Kate Peter) –  
Intentional Infliction of Emotional Distress**

34. Count Three does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required. As to Count Four, this Paragraph contains legal conclusions to which no response is required.

35. Count Three does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required. As to Count Four, denied.

36. Count Three does not purport to state a claim against Ms. Peter, such that no



response from Ms. Peter is required. As to Count Four, this Paragraph contains legal conclusions to which no response is required.

37. Count Three does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required. As to Count Four, this Paragraph contains legal conclusions to which no response is required.

**Counts Five (Joshua Abrams) and Six (Kate Peter) – Punitive Damages**

38. Count Five does not purport to state a claim against Ms. Peter, such that no response from Ms. Peter is required. As to Count Six, this Paragraph contains legal conclusions to which no response is required.

**V. PRAYER FOR RELIEF**

39. This Paragraph lists the Plaintiff's desired relief from the Court, such that no response is required.

40. This Paragraph lists the Plaintiff's desired relief from the Court, such that no response is required.

41. This Paragraph lists the Plaintiff's desired relief from the Court, such that no response is required.

42. This Paragraph lists the Plaintiff's desired relief from the Court, such that no response is required.

43. This Paragraph lists the Plaintiff's desired relief from the Court, such that no response is required.

**AFFIRMATIVE DEFENSES**

Ms. Peter expressly reserves the right to amend this Answer to assert additional affirmative defenses as they become known.

**First Affirmative Defense**

The allegations in the Complaint fail to state a claim upon which relief can be granted.

**Second Affirmative Defense**

The allegations in this Complaint against Ms. Peter are not actionable because Ms. Peter's statements are true or substantially true.

**Third Affirmative Defense**

Ms. Peter's statements are protected by the fair report privilege.

**Fourth Affirmative Defense**

Plaintiff's claims are barred by the doctrine of estoppel.

**Fifth Affirmative Defense**

Plaintiff has unclean hands.

**Sixth Affirmative Defense**

Plaintiff's claims are barred by his own harassing, abusive, and otherwise unlawful behavior.

**Seventh Affirmative Defense**

Plaintiff is a public figure or limited purpose public figure and Defendant acted neither with actual malice nor with reckless disregard for the statement's truth or falsity.

WHEREFORE, Ms. Peter respectfully requests the following relief:

- a. Enter judgment in favor of Ms. Peter on all counts against her in Plaintiff's Complaint;
- b. Dismiss all counts of Plaintiff's Complaint;
- c. Award Ms. Peter her costs of litigation, attorney's fees and statutory interest; and
- d. Award Ms. Peter such other and further relief as the Court deems just and proper.

**JURY DEMAND**

Ms. Peter demands a trial by jury on all counts and issues so triable.

**COUNTERCLAIMS**

1. Pursuant to Rule 13 of the Federal Rules of Civil Procedure, Kate Peter (“Ms. Peter”) hereby asserts counterclaims against Jose Maria DeCastro (“Mr. DeCastro”) for defamation.

2. In a transparent attempt to seek to harm, intimidate, and diminish Ms. Peter, Mr. DeCastro has repeatedly lied to his nearly 50,000 subscribers on his YouTube channel—and to anyone else who happens to view his YouTube videos—that Ms. Peter “sold out her daughter for sex,” and went so far as to crassly lie that Ms. Peter “pimped out her own kid and the d- and the division of family services took her children away.” He has further misrepresented that Ms. Peter “was arrested this year for siphoning gas out of a car.” These false accusations of crimes are patent defamation. Worse, Mr. DeCastro lies about Ms. Peter’s daughter take aim at the most sensitive and important aspect of Ms. Peter’s life, her children.

3. Ms. Peter is a full-time residential property manager and has been for 6 years. She is also the full-time caregiver and sole provider for her two children, ages 16 and 13.

4. In her spare time, Ms. Peter runs a YouTube channel, presently called “[Masshole] Troll Mafia Official” (the “Channel”), which focuses on fringe Internet subcultures and prominent figures within them. The Channel has 26,500 subscribers and a lifetime view count of two million video views. The Channel also has an average unique visitor count of approximately 40,000 per month.

5. The Channel’s focus first and foremost has been so-called “First Amendment Auditors,” who film themselves agitating police, government employees, postal employees, and

sometimes private business owners, purportedly to “audit” their respect for, and understanding of, First Amendment rights and protections. Second, the Channel profiles white nationalists, “Gofundme” scammers, “sovereign citizens,” “flat earthers,” and other notable Internet personalities.

6. Ms. Peter has built up a modest but fiercely loyal fan base for the Channel, and maintained a reputation for meticulous research, accurate information, and accurate reporting.

7. In or around April 2022, Ms. Peter first became aware of a YouTube personality, previously a TikTok personality, posting under the username “Delete Lawz.” Ms. Peter was able to quickly identify “Delete Lawz” as Mr. DeCastro. His channel is primarily anti-police and anti-government. At the time Ms. Peter discovered Mr. DeCastro, his subscriber count was around 42,000 – as of the undersigned date, his channel has 48,000 subscribers.

8. Ms. Peter recognized that Mr. DeCastro appeared to seek to use “Delete Lawz” to advertise legal services, despite the fact that he holds no college degree, has no legal education, and is not a licensed attorney admitted to the bar of any state. Ms. Peter has also learned that Mr. DeCastro in the past has held “lectures,” in which he purports to be a “20-year constitutional law scholar.” In these “lectures,” as well as at other times, Ms. Peter has learned that Mr. DeCastro appears to be soliciting financial support from his “clients” and “network.”

9. Ms. Peter published videos about Mr. DeCastro on her channel, including detailing his problematic advertising of legal services.

10. In response, Mr. DeCastro has leveraged his platform on YouTube to spread defamatory lies and misinformation about Ms. Peter.

11. Mr. DeCastro is a public figure. He has an IMDB page and has been featured in numerous news articles. He also has been featured in several interviews and promotional videos,

and has had small roles in national television series. He regularly posts videos on his YouTube channel which, again, has nearly 50,000 subscribers.

12. Mr. DeCastro has repeatedly and falsely claimed on his YouTube channel that Ms. Peter “pimped out” her daughter, stating, among other things:

- a. “[D]id you know that about about her name’s kate kate peters she uh she pimped out her own kid and the d- and the division of family services took her children away wow dude and you’re making videos just talking trash about me wow it’s just like, whoa, whoa you know. so it’s like wow just incredible you pimped out your daughter? so that’s why i want to get mass hole on a face-to-face to find out did you actually pimp out your daughter? why’d you lose three of the four children you have now i know that division of family services is a terrorist organization that steals people’s kids i know that i know that i understand that but yeah i don’t know kate peters is her name kate peters.” **“Recapping Toledo Internal Affairs,”** air date May 3, 2022, available at [https://youtu.be/dE4xeM\\_thSc?t=2642](https://youtu.be/dE4xeM_thSc?t=2642).
- b. “Her children were taken by dfys, Division of Family Youth Services, because she pimped out her daughter. She sold her daughter for sex.” **“BCI COLUMBUS - Dave Yost AG Ohio - Water-bottle = Dash cam #WeDontStop,”** air date May 20, 2022, available at <https://youtu.be/KSHpLr8qNZ0?t=3792>.
- c. “And I, I’m, I’m suing this chick. Kate Peter. She defamed me and she harmed me. She, she, she harmed me, she harmed so many people, she harmed her children. Her children. She sold her daughter for sex to men, and the state came in, they took her children.” **“Live@ChillesBackUp Channel Link in**

**Description - in 15 mins,”** air date, October 13, 2022 (no longer available online).

13. Mr. DeCastro falsely claimed that Ms. Peter was arrested, and later hospitalized, for siphoning and stealing gas:

a. “Yeah, yeah, um and you guys, just so you know that,uh, that woman who made a video about me... did you know that she was arrested this year for siphoning gas out of a car?” **“Jeff Lawless, Resign. Who will run for Sheriff?,”** air date April 27, 2022, available at <https://youtu.be/xQX5lonRmzM?t=1130>.

b. “And then let's talk about the Masshole report. That woman has lost three of four of her children, she's been arrested in the past year for siphoning gas out of a car. She swallowed the gas and had to go to the hospital.” **“Jeff Lawless, Resign. Who will run for Sheriff?,”** air date April 27, 2022, available at <https://youtu.be/xQX5lonRmzM?t=3328>.

14. No such arrest ever occurred.

#### **COUNT ONE – Defamation**

15. Ms. Peter repeats and re-alleges the above allegations here.

16. Mr. DeCastro knowingly and intentionally defamed Ms. Peter by publishing false statements of and concerning her to third parties in an effort to ruin her reputation and marginalize her in the community.

17. Mr. DeCastro published these defamatory statements about Ms. Peter with malice and with actual malice, as well as negligently and/or with a knowing and reckless disregard for the truth. Among other things, Mr. DeCastro never undertook any research to seek to determine whether his statements were true. He did not care whether his statements were true, because his

purpose was to destroy Ms. Peter's reputation, not to seek to make accurate reports.

18. Mr. DeCastro's false statements of and concerning Ms. Peter were defamatory per se.

19. Mr. DeCastro's publication of false statements of and concerning Ms. Peter caused her damage.

**PRAYER FOR RELIEF**

WHEREFORE, Kate Peter respectfully requests that the Court grant the following relief:

- (1) Enter judgment in favor of Ms. Peter and award Ms. Peter damages on the count set forth above; and
- (2) Award Ms. Peter her attorney's fees and costs; and
- (3) Award Ms. Peter such other and further relief as the Court deems just and proper.

**MS. PETER DEMANDS A JURY TRIAL.**

Respectfully submitted,

KATE PETER,

By her attorney,



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Benjamin J. Wish (BBO # 672743)  
TODD & WELD LLP  
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Boston, MA 02110  
Tel. (617) 720-2626  
[bwish@toddweld.com](mailto:bwish@toddweld.com)

Dated: November 7, 2022

**CERTIFICATE OF SERVICE**

I, Benjamin J. Wish, hereby certify that this document has been filed through the CM/ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and I caused the foregoing document to be served via email upon the following *pro se* litigant and have further served him a copy via U.S. Mail:

Jose Maria DeCastro (*Pro Se*)  
1258 Franklin Street  
Santa Monica, CA 90404  
iamalaskan@gmail.com

/s/ Benjamin J. Wish  
Benjamin J. Wish